

Exhibit L

VOLUME 3

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable YVONNE GONZALEZ ROGERS, Judge

EPIC GAMES, INC.,)	
)	
Plaintiff,)	NO. C-20-5640 YGR
)	
vs.)	Wednesday, May 5, 2021
)	
APPLE, INC.,)	Oakland, California
)	
Defendant.)	BENCH TRIAL
)	
APPLE, INC.,)	
)	
Counterclaimant,)	
vs.)	
)	
EPIC GAMES, Inc.,)	
)	
Counter-Defendant.)	
)	

REPORTER'S TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For Plaintiff: CRAVATH, SWAINE & MOORE, LLP
825 Eighth Avenue
New York, New York 10019
BY: KATHERINE B. FORREST, ESQUIRE
GARY A. BORNSTEIN, ESQUIRE
YONATAN EVEN, ESQUIRE

(Appearances continued.)

Reported By: Diane E. Skillman, CSR 4909, RPR, FCRR
Official Court Reporter

PX6000-001

1 A. The Xbox console does not have touch controls.

2 Q. How do you control the games?

3 A. Through a controller.

4 Q. Can the Xbox console connect to the internet?

5 A. Yes.

6 Q. How?

7 A. Over ethernet or WiFi.

8 Q. Does it have a cellular chip?

9 A. It does not.

10 Q. Would it be possible for a user to play the Xbox console
11 without owning other equipment such as a TV, speakers,
12 ethernet connection?

13 A. No.

14 Q. What products, if any, compete with the Xbox console for
15 hardware sales?

16 A. The most direct competitor for hardware sales would be the
17 Sony PlayStation.

18 Q. Are there any others?

19 A. There is the Nintendo Switch but to a much lesser extent.

20 Q. Any others?

21 A. No.

22 Q. Okay. What about the iPhone?

23 A. The iPhone as a competition?

24 Q. Yes.

25 A. We certainly don't view iPhone as a competing device.

1 Q. What about the iPad?

2 A. We do not view the iPad as a competing device.

3 Q. In your role in business development at Xbox, do you try
4 to convince users to buy an Xbox console rather than an
5 iPhone?

6 A. No.

7 Q. Why not?

8 A. Because we view the opportunity for gamers to -- they make
9 a choice to have the game experience with a console or they
10 play on a PC. Sometimes that's an "and." And they also want
11 to play on mobile devices. So they are additives. They are
12 not replacements.

13 Q. That was going to be my next question. Do you view the
14 Xbox console as a replacement or substitute for the iPhone?

15 A. No. I'm not aware of.

16 Q. Do you view the Xbox console as a replacement or
17 substitute for the iPad?

18 A. No.

19 Q. Based on your experience, do Xbox users also have
20 smartphones?

21 A. Yes.

22 Q. So let's talk about the games available to play on Xbox.

23 First of all, does a video game have to be programmed
24 specifically for the Xbox for the Xbox console to be able to
25 run it?